

I am an Extra Class licensee in the Amateur Radio Service and hold a General Radio Telephone License. Previously I have held the FCC First and Second Radio Telephone licenses. I hold BS in applied technology from Wentworth Institute of Technology and I have been employed in the communications fields for over 30 years.

I would like provide the following reply comments in this proceeding.

Con-Edison is proposing to us Access BPL to extend the capabilities of PLC control of its operations and is indicating that this service represents a mission critical service that must be protected as has been the case with their LF narrow band system. The US Amateur Radio Service was denied access to spectrum allocated by other nations to their Amateur Services on the basis that this would threaten critical control of the electric utility grid. Now they want the Commission to provide the same protection for Access BPL because they plan to use BPL for the same purpose. They have gone so far as to say that they can not have their service interrupted as provided in present Part 15 regulations, yet this is the only real protection for presently licensed services in the event of HARMFUL INTERFERENCE.

The real problem here is an attempt by an UNLICENSED UNINTENTIONAL RADIATOR to usurp spectrum used by LICENSED INTENTIONAL RADIATORS.

Another comment points out that the Commission needs to clearly define HARMFUL INTERFERENCE. I would echo this contention and point out that this term seems to mean different things depending on the spectrum user in question. This indicates to this user that there is no clear way to define HARMFUL INTERFERENCE because it is different in each case. Just about any interference to the Amateur Radio Service can be construed as HARMFUL.

My amateur activities are restricted low power, narrow band, weak signal operations. One contact last year that I completed involved the use of 125mW of output power on a frequency of 10.113Mhz. between my station in MA and a station in GA, over 800 miles distant. My signal at his location was S3 which works out to be ~12.5uVolts. Should a BPL system be operating somewhere near my station, its radiated signals will be in this same range. My signal will have to compete with this interference. Is this not HARMFUL INTERFERENCE in my proposed case? I will not be able to complete the types of communications experiments that I have been developing for my station activity. Should I have to increase my power levels to achieve my intended communications? I have this option, but this will preclude my desired experiments, experiments which a real part of Amateur Radio. I am attempting explore a communications technique within the provisions of my license and would be prevented from completing my experiments.

I would propose to the Commission that BPL needs to be a service class of its own and needs to be allocated the spectrum they are requesting as a primary user. They may be an unintentional radiator, but they are in fact a radiator and will cause harmful interference. This service needs specific regulation and should Con-Edison decide to extend it's PLC controls to Access BPL, it

will need to be protected and I fully expect the Commission will provide this protection.

Just the mere mention that interference mitigation has been designed into the systems indicates to me that they have already recognized that they will cause interference and the Commission's mention that it may require interference mitigation as part of this proceeding indicates that it expects there to be HARMFUL INTERFERENCE. The unclear part is how much interference. The NTIA phase 1 study clearly indicates that the radiation levels will be underestimated and that it fully expects significant interference to occur.

Access BPL is clearly about money. Access BPL would never be deployed on its technical merits. This system is still far too immature and represents spectrum pollution on an unprecedented scale. There is a war of words going on where the definitions are not clear and those using the words have a different meaning according to who is the speaker. The Commission must clearly state what is HARMFUL INTERFERENCE and define this on a service by service basis.

Respectfully Submitted,

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